

Memorandum

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

		X
	:	Index No. 07 Civ. 5967 (CM)
JAMES BONOMO,	:	<u>STIPULATION REGARDING</u>
Plaintiff,	:	<u>EXTENSION OF DISCOVERY</u>
-against-	:	<u>CUT-OFF</u>
MITSUBISHI INTERNATIONAL CORPORATION,	:	
Defendant.	:	
	:	
	:	
	X	

WHEREAS, the parties promptly began discovery in this case by: (i) serving document requests and interrogatories; (ii) completing Plaintiff's depositions; and (iii) serving additional interrogatories, document requests, requests for admissions, and subpoenas in accordance with the Civil Case Management Plan ordered in this case on September 7, 2007;

WHEREAS, the parties have taken at least 9 depositions in both the U.S. and China, and have 5 depositions remaining in the 6 business days prior to the discovery cut-off, and have scheduled two remaining depositions, and the completion of one deposition that has already commenced, after the cut-off: the conclusion of Tetsuya Furuichi's (the Manager of MIC's Tokyo office, and the principal subject of Plaintiff's Complaint) May 8, 2008 deposition, scheduled for May 29, 2008; Dr. Stuart Kleinman, Defendant's expert retained to conduct a Rule 35 examination of Plaintiff, on June 5, 2008, and Fredric Leffler, an attorney who was involved in Defendant's internal investigation of Plaintiff's complaint, on June 13, 2008;

WHEREAS, Dr. Kleinman and Mr. Leffler are third-party witnesses, who were unable to schedule their depositions until after May 28, 2008, the date by which discovery must be

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completed;

WHEREAS, Pursuant to the Amended Civil Case Management Plan, which required Defendant to submit its expert report by May 12, 2008, Plaintiff did not receive Dr. Kleinman's Rule 35 report until said date;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties that good cause exists for the parties to request that the depositions of Mr. Furuichi, Dr. Kleinman, and Mr. Leffler be permitted to go forward on May 29, June 5, and June 13, respectively. No other deadlines are being changed, including the July 30, 2008 submission date for the joint pre-trial order.

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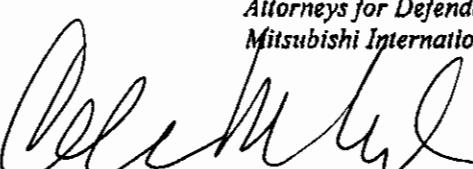
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SO ORDERED:


Colleen McMahon, U.S.D.J.

Date:

5/21/08

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